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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2756	14

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

☒ Responsive to communication(s) filed on _Nov 22, 1999_ _____ .

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire ____ _3_ ____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) _1-9, 11, 15-36, and 39_ _____ is/are pending in the application.

     Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) _1-9, 11, 15-36, and 39_ _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

     ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

         ☐ received.

         ☐ received in Application No. (Series Code/Serial Number) _____ .

         ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

     *Certified copies not received: _____ .

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Introduction

1.   This office action is in response to Amendment C filed Nov 22, 1999. Amended claims 1-

3,7,11,15-19,21,24,25,28,34 and original claims 4-6,8,9,11,20,22,23,26,27,29-33,35,36 and 39

are pending. The objections and rejections cited are as state below

Response to Amendment

2.   Applicant's amendment filed Nov 22, 1999 have been fully considered but they are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.
> This application currently names joint inventors. In considering patentability of the claims under 35
> U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any
> inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under
> 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later
> invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35
> U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-9, 11, 15-36, and 39 are rejected under 35 U.S.C. § 103 as being unpatentable

over Rogers et al [5,974,441] in view of Orchard [Java/CORBA] and further in view of Phillips

[5,857,100]

As per claim 1, Rogers et al disclose a apparatus, at least one processor; a memory

coupled to the at least one processor; a computer program such as HTML residing in the

memory, said computer program enabling client object-server object interaction for a client

object [Rogers col 5 lines 10-col 17 line 50];

However Rogers do not detail computer program enabling client object-server object

interaction for a client object located on a zero install client, said client object-server object

interaction being enable by delivering an object reference for a naming context object to said zero

install client after said zero install client has contacted said computer program. The skilled artisan

would have looked to the Java programming art and have found the Orchard teaching. Orchard

taught the Zero install client as Java/CORBA advantages [Orchard page 14]. It would have been

obvious to one of ordinary skill in the art at the time of the invention to utilize the Zero install

client of Java/CORBA programming into the Rogers system to enhance the communication or

delivery an object on client/server distributed system. However Rogers-Orchard did not explicitly

disclose the naming context object has been installed after said zero install client has contacted

said computer program. The skilled artisan would have looked to the Java/CORBA programming

art for further details of Rogers-Orchard naming service and would have found Phillips teaching.

Phillips et al disclose the naming context object, object reference as the OMG naming service

[Phillips col 8 line 48-55; col 60 line 1-3]. Therefore, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to incorporate the object reference and

naming context object as taught by Phillips into the Rogers-Orchard system in order to enhance

the network communication programming. By this rationale claim 1 is rejected.

As per claims 2 and 15 , Rogers-Orchard-Phillips disclose the computer program

comprises a web browser or Java-enable web browser [Rogers col 11 line 12].

As per claim 3, Rogers-Orchard-Phillips discloses said contact with computer program is accomplished by a web browser located on said zero install client [Orchard page 14].

As per claim 4, Rogers-Orchard-Phillips disclose object reference is stored in a web server directory [Phillips col 60 line 10,28].

As per claims 5, 8 and 36, Rogers-Orchard-Phillips disclose a stringified object reference as inherent feature of the object reference [Phillips col 60 line 5].

As per claims 6 and 9, Rogers-Orchard-Phillips disclose a root naming context object as an inherent feature of naming context object [Phillips col 60 line 1-3].

As per claim 11, Rogers-Orchard-Phillips disclose contact with server system is accomplished by a web browser executing on client system and wherein the step of downloading said object reference comprises downloading by a web server application [Rogers col 3 line 30].

As per claims 16 and 35, Rogers-Orchard-Phillips disclose Java-enable web browser containing a COBRA compliant Java Object Request Broker [Orchard page 14].

As per claims 17 and 39, Rogers-Orchard-Phillips disclose server system includes a local service application and the step of downloading the object reference is performed by a web server application in server system [Rogers col 3 line 30].

As per claim 18, Rogers-Orchard-Phillips disclose Web server includes a name object server [Phillips Fig 2A].

As per claim 19, Rogers-Orchard-Phillips disclose downloading an applet from web server to web browser and running applet on web browser [Rogers col 3 line 30, col 10 line 49-53]; downloading an object request broker from web server [Phillips col 8 line 20].

As per claim 20, Rogers-Orchard-Phillips disclose downloading the class of the object request broker from web server as an inherent feature of web server [Rogers col 8 line 58].

As per claims 21 and 28 contain the similar limitations set forth of method claim 1 except the signal bearing media bearing said computer program [Rogers col 16 lines 5-25]. Therefore, claims 21 and 28 are rejected for the same rationale set forth claim 1.

As per claims 22,23 and 29,30 Rogers-Orchard-Phillips disclose signal bearing media as transmission media or recordable media as the design choice of multimedia system [Rogers col 5 lines 10]

As per claims 24-27 contain the similar limitations set forth of method claims 3-6. Therefore, claims 24-27 are rejected for the same rationale set forth claims 3-6.

As per claim 31, Rogers-Orchard-Phillips disclose signal bearing comprises the Internet [Rogers col 1 line 55].

As per claim 32, Rogers-Orchard-Phillips disclose web server having access to said object reference such as access agent [Rogers col 2 lines 8-14].

As per claims 33,34 contain the similar limitations set forth of method claim 1. Therefore, claims 33,34 are rejected for the same rationale set forth claim 1.

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 6:30AM- 4:00PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ahmad Matra*, can be reached on *(703) 305-4731 or via e-mail addressed to [Ahmad Matar@uspto.gov]*. The fax number for this Group is (703) 308-6606 or 308-9731

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [thong.vu@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thong Vu
May 17, 2000

LE HIEN LUU
PRIMARY EXAMINER